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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,820	12/13/2003	Mark Miller	2003P13576US	2219

7590 05/27/2005

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
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EXAMINER

PRESTON, ERIK D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/734,820	Applicant(s) MILLER, MARK	
	Examiner Erik D. Preston	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

Claims 1 & 2 are objected to because of the following informalities: In the 9th line of claim 1 and in the 13th line of claim 2, the phrase "...said wedge snugly fits into said space and remains..." should be changed to "...said wedges snugly fits into said space an remains..." Appropriate correction is required.

Claim 11 is objected to because of the following informalities: In the 2nd line of the claim the words "is" should be changed to "in". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claim 13 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in paragraph 5 of the Specification wherein the applicant states that the inner layer is inserted into the lateral gap while the outer-formed frame is fitted into a desired gap, and this statement indicates that the invention is different from what is defined in the claim(s) because if the inner layer is inserted into the lateral gap before the outer-formed frame is put into the desired gap the outer-formed frame will not be forced into the outer abutments of the desired gap.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6,9-12,14-16,19 & 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ward et al. (US 4800314).

With respect to claim 1, Ward teaches a method for forming wedges (Fig. 4) in a space comprising: Placing an outer frame (Fig. 4, #28 & 30) into said space, wherein said outer frame is thinner than said space and wherein said outer frame contains a lateral gap; inserting into said lateral gap an inner layer (Fig. 4, #62 & 64), wherein said inner layer comprises at least one stiff sheet material coated with a felt material (Fig. 4, #66) that is saturated with a resin (Col. 5, Lines 29-31), wherein the inserting of said inner layer forces said outer frame onto abutments on either side of said space; and curing said resin (Col. 4, Lines 53-61) wherein said wedges snugly fit into said space and remain snugly fit after said resin is cured.

With respect to claim 2, Ward teaches a method of forming wedges (Fig. 4) in a space comprising: Obtaining an outer-formed frame (Fig. 4, #28 & 30), wherein said outer-formed frame is thinner than said space and wherein said outer-formed frame contains a lateral gap; placing said outer-formed frame into said space; inserting into said lateral gap an inner layer (Fig. 4, #62 & 64), wherein said inner layer comprises a stiff sheet material and wherein a felt material (Fig. 4, #66) is mounted on at least one

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side of said inner layer; wherein inserting said inner layer forces said outer-frame onto abutments on either side of said space; wherein a resin (Col. 5, Lines 29-31) is saturated in-said felt material; and curing said resin (Col 4, Lines 53-61) wherein said wedge snugly fits into said space and remains snugly fit after said resin is cured.

With respect to claim 3, Ward teaches the method of claim 2, wherein said lateral gap bisects said outer-formed frame.

With respect to claim 4, Ward teaches the method of claim 2, wherein said inner layer is trimmed flush with said outer-formed frame (as seen in Figure 4).

With respect to claim 5, Ward teaches the method of claim 2, further comprising machining said outer-formed frame (Col. 5, Lines 42-46).

With respect to claim 6, Ward teaches the method of claim 2, wherein the inner layer comprises a plurality of stiff sheet materials.

With respect to claim 9, Ward teaches the method of claim 2, wherein said felt material is made of Dacron (a type of polyester).

With respect to claim 10, Ward teaches the method of claim 2, wherein said resin is a thixotropic thermosetting resin (Col. 3, Lines 63-67).

With respect to claim 11, Ward teaches the method of claim 2, wherein said felt material is mounted on said stiff sheet material in a predetermined pattern.

With respect to claim 12, Ward teaches the method of claim 2, wherein said predetermined pattern is in line with the approximate area of where said outer formed frame is forced onto said abutments on either side of said space. The felt material and

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the area where the outer-formed frame is forced into said abutments are both aligned radially.

With respect to claim 14, Ward teaches a wedge (Fig. 4) pre shaped for use in a generator comprising: An outer-formed frame (Fig. 4, #28 & 30); an inner layer (Fig. 4, #62 & 64), wherein said inner layer comprises at least one stiff sheet material; and a felt material (Fig. 4, #66) mounted on at least one side of said inner layer; wherein said felt material is saturated with a resin (Col. 5, Lines 29-31); wherein said inner layer is shaped to fit in a lateral gap within said outer formed frame; wherein said wedge is electrically insulating (Dacron felt, resin, and epoxy laminates are inherently insulating).

With respect to claim 15, Ward teaches the method of claim 14, wherein said inner layer traverses a limited portion of said outer-formed frame. It does not traverse the entire outer-formed frame.

With respect to claim 16, Ward teaches the method of claim 14, wherein said lateral gap bisects said outer-formed frame. The blocks on either side of the gap are of the same length.

With respect to claim 19, Ward teaches the method of claim 14, wherein said felt material is made of Dacron (a type of polyester).

With respect to claim 20, Ward teaches the method of claim 14, wherein said resin is a thixotropic thermosetting resin (Col. 3, Lines 63-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7,8,17 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al. (US 4800314) in view of Miler (US 6486575).

With respect to claims 7,8,17 & 18, Ward teaches the method of claim 7 and the wedge of claim 17, but doesn't teach the outer-formed frame, or the stiff sheet material being comprised of either a glass material or a resinous glass material. However, Miller teaches a reinforcement material made of glass and mineral filler (Abstract). It would have been obvious at the time of the invention to modify the wedges of Ward in view of the reinforcing material as taught by Miler because it is a low cost insulator that is capable of withstanding temperatures that can range from -10° to about 140° C (Miler, Col. 2, Lines 22-46).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 4200818 & US 6316859.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik D. Preston whose telephone number is (571)272-8393. The examiner can normally be reached on Monday through Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



05/16/2005



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